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**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

MARIA MORALES-OPETT,

Plaintiff,

vs.

COUNTY OF FRESNO, et al.

Defendants.

) CASE NO. 1:02-CV-06626 LJO DLB  
)  
)  
)

**STIPULATION AND ORDER TO EXTEND  
DISCOVERY CUT-OFF DATE**

CAROL DELA TORRE,

Plaintiff,

vs.

COUNTY OF FRESNO, et al.

Defendants.

) CASE NO. 1:02-CV-06627 LJO DLB  
)  
)  
)

**STIPULATION AND ORDER TO EXTEND  
DISCOVERY CUT-OFF DATE**

Plaintiffs CAROL DELA TORRE and MARIA MORALES-OPETT ("Plaintiffs") and  
defendants COUNTY OF FRESNO, et al. ("Defendants") hereby stipulate to extend the discovery  
cut-off date in the above-captioned cases, currently set for October 31, 2008, for the limited purpose  
set forth below.

1 Good cause exists to extend the discovery cut-off date for the following reasons:

2 On September 26, 2008, Defendants noticed the depositions of Victor Cattalico and  
3 Michelle Detsch for October 24, 2008. *Declaration of Michael R. Linden* (“*Linden Decl.*”), para.  
4 2. It was Defendants’ understanding that both witnesses worked as interns in the psychological  
5 services department for the State Center Community College District (“SCCCD”), and had contact  
6 with plaintiff Maria Morales-Opett. *Id.* As such Defendants’ served deposition subpoenas for these  
7 witnesses at the SCCCDD office. *Id.*

8 On October 14, 2008, counsel for Defendants received a letter from Mr. Gregory Taylor,  
9 general counsel for SCCCDD. *Linden Decl.*, para. 3; *Exhibit “A” to Linden Decl.* In this letter, Mr.  
10 Taylor indicated that Victor Cattolico was no longer an employee of SCCCDD. *Id.* Mr. Taylor also  
11 represented that he would not be available for the deposition of Michelle Detsch on October 24,  
12 2008. *Id.*

13 On October 15, 2008, counsel for Defendants sent an e-mail to Plaintiffs’ counsel regarding  
14 Mr. Taylor’s letter. *Linden Decl.*, para. 4, *Exhibit “B” to Linden Decl.* Defendants requested that  
15 Plaintiffs agree to stipulate to extend the discovery cut-off date for the depositions of Victor  
16 Cattolico and Michelle Detsch. *Id.* Later in the day, Plaintiffs’ counsel sent a return e-mail,  
17 indicating that he was agreeable to the stipulation should the depositions be set in November of  
18 2008, and cleared with his office. *Id.*

19 On October 17, 2008, counsel for Defendants placed a phone call to Gregory Taylor at his  
20 office. *Linden Decl.*, para. 5. Mr. Taylor confirmed the representations made in his letter. *Id.* Mr.  
21 Taylor indicated that he would be available for depositions starting the week of October 27, 2008,  
22 but he was not sure when Ms. Detsch would be available. *Id.* Mr. Taylor also indicated that he was  
23 not aware of the location of witness Victor Cattolico. *Id.* As to taking a deposition in November  
24 of 2008, Mr. Taylor indicated that he was currently available on November 6-7. *Id.*

25 Based on the foregoing, good cause exists to extend the discovery cut-off date for the  
26 depositions of Michelle Detsch and Victor Cattolico. Counsel for SCCCDD is not available on  
27 October 24, 2008, and Plaintiffs’ counsel is not available again until November of 2008.  
28 Furthermore, Defendants will need extra time to locate Victor Cattolico and serve him with a

1 deposition subpoena. Defendants have acted in good faith, and have been diligent in bringing this  
2 matter before the Court.

3 Therefore, good cause having been shown, the parties hereby stipulate to extend the  
4 discovery cut-off date to November 21, 2008 for the depositions of Michelle Detsch and Victor  
5 Cattalico.

6  
7 DATED: October 17, 2008

WEAKLEY, RATLIFF, ARENDT & McGUIRE

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10 By: /s/ Michael R. Linden  
James J. Arendt  
Michael R. Linden  
Attorneys for Defendants

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13 DATED: October 17, 2008

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15 By: /s/ W. Scott Quinlan  
W. Scott Quinlan  
Attorney for Plaintiffs

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17  
18 *IT IS SO ORDERED.*

19 *Dated: October 22, 2008*

*/s/ Dennis L. Beck*  
*UNITED STATES MAGISTRATE JUDGE*